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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE AUG 16 2002

In re Application of:) Art Unit: 1642 TECH CENTER 1600, 2900
EISENBACK et al) Examiner: M. Yu
Appln. No.: 09/744, 804) Washington, D.C.
Filed: January 30, 2001) August 16, 2002
For: TUMOR ASSOCIATED ANTIGEN) Atty. Docket: EISENBACK=3
. PEPTIDES AND USE OF SAME)
AS ANTI-TUMOR VACCINES

AMENDMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action of July 16, 2002,
primarily in the nature of a requirement for restriction, please
amend as follows:

IN THE CLAIMS

Please replace claims 26 and 32 with new amended claims
26 and 32 as follows below. A marked up version of the amended
claims to show the changes made is attached hereto.

B 26 (Amended). The pharmaceutical composition of claim
24, wherein the composition contains an amount of said peptide
effective to inhibit cancer or cancer metastases.

32 (Amended). The vaccine composition of claim 30,

2 wherein the composition contains an amount of said peptide
effective to inhibit cancer or cancer metastases.

16413

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AT&T
TELEFONICA
JC97
In Re Application of Lea EISENBACH et al.

Application No. 09/744,804

Confirmation No. 6094

Art Unit: 1642

Examiner: M YU

Washington, D.C.

Atty's Docket: EISENBACH=3

Date August 16, 2002

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TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [XX] Amendment []

in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
 [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 [XX] No additional fee is required.
 [] The fee has been calculated as shown below

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR
TOTAL	* 49	MINUS	** 49
INDEP	* 4	MINUS	*** 4
FIRST PRESENTATION OF MULTIPLE DEP CLAIM			
			PRESENT EXTRA EQUALS 0

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x 9	\$	x 18	\$
x 42	\$	x 84	\$
+ 140	\$	+ 280	\$
ADDITIONAL FEE TOTAL		TOTAL	
\$		\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below.

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 200.00
- [] Third - \$ 460.00
- [] Fourth - \$ 720.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
- [] Second - \$ 400.00
- [] Third - \$ 920.00
- [] Fourth - \$ 1440.00

Month After Time Period Set

[] Please charge my Deposit Account No. 02-4035 in the amount of \$

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____

[] A check in the amount of \$_____ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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